

Application No. 10/083,967

REMARKS

Claims 1-8, 10-22 and 78-110 are pending. By this Amendment, claims 9 and 23-28 are canceled without prejudice, and claims 1, 16, 78 and 79 are amended to more particularly point out Applicants' claimed invention. Also, new dependent claims 80-110 are added. Furthermore, the specification was amended to update a reference to a copending patent application that has subsequently issued.

The amendment of claim 1 incorporates a feature of original claim 9 as well as an aspect that is well supported throughout the specification and original claims 2 and 3. Also, a feature added in the Preliminary Amendment and another feature from the original claim have been removed. The amendment of claim 16 incorporates a feature from original claim 23 with a minor wording change for clarity and removes a feature from the original claim. Claims 78 and 79 have been amended to track more closely the wording of original claim 1, and Applicants do not intend to narrow claims 78 or 79.

New claims 80-84 and 92-96 are supported respectively, for example, by original claims 2-6. New claims 85 and 97 are supported, for example, at original claim 9. New claims 86 and 98 are supported, for example, by original claim 12. New claims 87 and 99 are supported, for example, by original claim 7. New claims 88, 107 and 110, are supported by the specification, for example, at page 27, line 8 to page 28, line 27. New claims 89, 90, 101, 102, 104, 105, 108 and 109 are supported by the specification, for example, at page 25, lines 8-31. New claims 91 and 103 are supported, for example, by original claim 8. New claim 100 is supported by the specification, for example, at page 29, line 26 to page 30, line 6. New claim 106 is supported by the specification, for example, at original claim 22. No new matter is introduced by the amendments or the new claims.

Applicants note with appreciation the allowance of claim 78. Also, claims 9, 11, 15 and 23 have been found free of the art. Claims 1-8, 10, 12-14, 16-22 and 79 stand rejected.

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Applicants respectfully request reconsideration of the rejections based on the amendments and the following comments.

Election/Restriction

The Examiner imposed a restriction requirement under 35 U.S.C. § 121 between two claim groups. In view of the restriction, Applicants have canceled claims 24-28, which are claims of Group II in the restriction. Applicants confirm their election of Group I claims 1-23, 78 and 79 without traverse.

Rejection Over Hiraoka et al.

The Examiner rejected claims 1-8, 10, 12-14, 16-22 and 79 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent 5,565,041 to Hiraoka et al. (the Hiraoka patent). The Examiner cited the Hiraoka patent for disclosing non-linear optical devices having polymeric compositions comprising conducting or semi-conducting particles in the size range of 1-50 nm. To advance prosecution of the case, Applicants have amended claims 1 and 16 to more particularly point out their claimed invention. In view of these amendments, Applicants do not believe that the Hiraoka patent *prima facie* anticipates Applicants' claimed invention. Applicants respectfully request reconsideration of the rejection based on the following comments. The comments are organized according to independent claims.

Claim 1 has been amended to incorporate features of original claim 9, which was indicated as being allowable. While other features of claim 1 have been removed, these features do not seem relevant to the rejection over the Hiraoka patent. Therefore, Applicants believe that claim 1 and corresponding dependent claims should be in condition for allowance.

Claim 16 has been amended to incorporate features of original claim 23, which was indicated as being allowable. While other features of claim 1 have been removed, these

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features do not seem relevant to the rejection over the Hiraoka patent. Therefore, Applicants believe that claim 16 and corresponding dependent claims should be in condition for allowance.

Claim 78 was indicated as being allowed in the office action. While claim 78 has been amended to more closely track some of the language of original claim 1, Applicants do not believe that this amendment should change the allowability of claim 78.

With respect to claim 79, the Office Action indicates that the Hiraoka patent teaches doped particles. With all due respect, Applicants cannot identify doped inorganic particles in the Hiraoka patent. Doped particles are discussed in Applicants' specification, for example, at page 28, line 28 to page 30, line 14. Applicants believe that the Hiraoka patent does not *prima facie* anticipate claim 79.

Based on the above comments, the Hiraoka does not *prima facie* anticipate Applicants' presently claimed invention. Applicants respectfully request withdrawal of the rejection of claims 1-8, 10, 12-14, 16-22 and 79 under 35 U.S.C. § 102(b) as being anticipated by the Hiraoka patent.

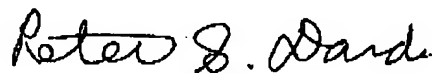
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### CONCLUSIONS

In view of the foregoing, it is submitted that this application is in condition for allowance. Favorable consideration and prompt allowance of the application are respectfully requested.

The Examiner is invited to telephone the undersigned if the Examiner believes it would be useful to advance prosecution.

Respectfully submitted,



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